

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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COLLYN AHRENS AUBREY, STEVEN BABOUN, KAESEN J. BONLI, JINGRUO CHENG, LYDIA K. CROUSE, KAREN DIAS, CAROLINE A. GARCIA, TERE GARCIA, AMANDA JOHNSON, JAVARIUS JONES, TANIA KHOURI, JOSEPHINE LEE, RAE LAVANDE PELLERIN, JESSICA SALDANA, CORALINE JINGYAN WENG AND SNOW XUECAN YE, on behalf of themselves and all others similarly situated,

Case No.7:21-CV-04915 (KMK)

Plaintiffs,

-against-

THE NEW SCHOOL,

Defendant.

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**DECLARATION OF CHRISTOPHER BATE IN SUPPORT  
OF DEFENDANT'S MOTION TO DISMISS**

I, Christopher Bate, being over the age of 18 years, hereby affirm the following under penalties of perjury:

1. I hold the position of Director of Online Marketing Platforms for Defendant The New School (“TNS”).

2. As Director of Online Marketing Platforms, I oversee the content of the marketing materials contained on TNS’s website, archives of which TNS maintains in its ordinary course of business.

3. Based upon my review of the archives of TNS’s website, I affirm that the quotation referenced in Paragraph 26 of Plaintiffs’ Class Action Complaint was not present on TNS’s website until May 30, 2020.

4. Based upon my review of the archives of TNS's website, I affirm that the quotation referenced in Paragraph 27 of Plaintiffs' Class Action Complaint was not present on TNS's website until March 24, 2020.

5. Based upon my review of the archives of TNS's website, I affirm that the quotation referenced in Paragraph 40 of Plaintiffs' Class Action Complaint was not present on TNS's website until May 9, 2020.

6. Based upon my review of the archives of TNS's website, I affirm that the quotation referenced in Paragraph 41 of Plaintiffs' Class Action Complaint was not present on TNS's website until May 9, 2020.

7. Based upon my review of the archives of TNS's website, I affirm that the listing of "labs, shops, and studios" referenced in Paragraph 42 of Plaintiffs' Class Action Complaint was not present on TNS's website until August 17, 2020.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on November 16th, 2021

Chris Bate  
Christopher Bate

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LAVANDE PELLERIN, JESSICA SALDANA,  
CORALINE JINGYAN WENG AND SNOW  
XUECAN YE, on behalf of themselves and all  
others similarly situated,

Case No.7:21-CV-04915 (KMK)

Plaintiffs,

-against-

THE NEW SCHOOL,

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**CERTIFICATE OF SERVICE**

This is to certify that, on November 18, 2021, a true and correct copy of the Declaration Of Christopher Bate In Support Of Defendant's Motion To Dismiss has been served via ECF and email on Plaintiffs' counsel at the address of record set forth below:

Martin E. Karlinsky, Esq.  
Karlinsky LLC  
103 Mountain Road  
Cornwall-on-Hudson, NY 12520  
[martin.karlinsky@karlinskyllc.com](mailto:martin.karlinsky@karlinskyllc.com)



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Jonathan M. Kozak